



Practitioner's Docket No. RAR333.04

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Rael Sacks

Application No.: 10/615,967

Filed: July 9, 2003

For: Extruded Landscape Edging System and Method of Making Same

Group No.: 3643

Examiner: Gellner, Jeffrey L.

**Commissioner for Patents**  
**Alexandria, VA 22313-1450**

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
BEFORE MAILING DATE OF EITHER A FINAL ACTION  
OR NOTICE OF ALLOWANCE (37 C.F.R. section 1.97(c))**

**TIME OF TRANSMITTAL OF ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

1. The information disclosure statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in Section 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but *before* the mailing date of either

- (1) a final action under section 1.113 or
- (2) a notice of allowance under section 1.311

whichever occurs first.

**FEE**

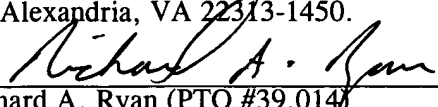
2. Accompanying this transmittal is the fee for submission of an information disclosure statement under section 1.97(c). (\$180.00)

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Certificate of Express Mailing - 37 C.F.R. § 1.10

Express Mail Label No.: ER085378405US Date of Deposit: 12/30/04

I hereby certify that the papers and/or fees identified in this letter are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Richard A. Ryan (PTO #39,014)

(Transmittal of Information Disclosure Statement before Mailing  
Date of Either a Final Action Or Notice of Allowance--page 1 of 2)

### FEE PAYMENT

3. Applicant elects the option to pay the fee set forth in 37 C.F.R. section 1.17(p) for submission of an information disclosure statement under section 1.97(c) (\$180.00).

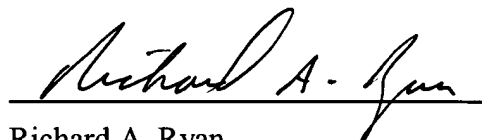
Fee due \$ 180.00

### METHOD OF PAYMENT OF FEE

4. Attached is a PTO Credit Card Payment Form in the amount of \$ 630.00, including \$450.00 for an extension of time (2 months) and \$180.00 for the IDS.

Date:

12/30/04



Richard A. Ryan  
Registration No. 39,014

Richard A. Ryan  
Attorney at Law  
8497 N. Millbrook Ave., Suite 110  
Fresno, CA 93720  
US  
559-447-1837  
Customer No. 29762



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**INFORMATION DISCLOSURE STATEMENT**

**List of Sections Forming Part of This Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

1. Preliminary Statements
2. Forms PTO/SB/08A (substitute for Form PTO-1449)
3. Copies of Listed Information Items Accompanying This Statement
4. Identification of Person(s) Making This Information Disclosure Statement

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**CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\***

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

☒ deposited with the United States Postal Service in an envelope addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. 1.8(a)**

**37 C.F.R. 1.10\***

☐ with sufficient postage as first class mail.



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Mailing Label No. ER085378405US

**TRANSMISSION**

☐ transmitted by facsimile to the Patent and Trademark Office.

Date:

12/30/04

Richard A. Ryan  
Signature

Richard A. Ryan, PTO # 39,014  
(type or print name of person certifying)

## **Section 1. Preliminary statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

## **Section 2. Forms PTO/SB/08A (substitute for Form PTO-1449)**

**Section 3. Copies of Listed Information Items Accompanying This Statement**

Legible copies of all items listed in Form PTO/SB/08A (substitute for Form PTO-1449) accompany this information statement.

**Section 4. Identification of Person Making This Information Disclosure Statement**

The person making this certification is the practitioner who signs below on the basis of the information supplied by the inventor(s) and in the practitioner's file.

Reg. No.: 39,014

Tel. No.: (559) 447-1837

  
SIGNATURE OF PRACTITIONER

Richard A. Ryan, Reg. No. 39,014  
Attorney at Law  
8497 N. Millbrook Ave., Suite 110  
Fresno, CA 93720

Customer No.: 29762

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

Application Number	10/615,967
Filing Date	07/09/2003
First Named Inventor	Rael Sacks
Group Art Unit	3643
Examiner Name	GELLNER, JEFFREY L.
Attorney Docket Number	333.04

U.S. PATENT DOCUMENT						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	1	6,579,605	B2	Zehner	06/17/2003	
	2	6,546,688	B1	Parsons	04/15/2003	
	3	US2003/0024157	A1	Conde	02/06/2003	
	4	Des 426,322		Anderson, et al.	06/06/2000	
	5	5,720,128		Smith, et al.	02/24/1998	
	6	5,456,045		Bradley, et al.	10/10/1995	
	7	5,375,369		VerHoeve	12/27/1994	
	8	5,301,461		Zwier	04/12/1994	
	9	5,157,867		Fritch	10/27/1992	
	10	5,117,583		Reum	06/02/1992	
	11	4,823,521		Kontz, Jr.	04/25/1989	
	12	3,933,311		Lemelson	01/20/1976	
	13	3,788,001		Balfanz, Jr.	01/29/1974	
	14	2,821,809		Collier, et al.	02/04/1958	
	15	2,782,561		Smith	02/26/1957	
	16	691,169		Owen	01/14/1902	

[illegible]

Examiner  
Signature

Date	
Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**